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Title: Motion regarding Suspension of Rule 388.

HON. SPEAKER: Item No. 7, Shri Birender Singh *ji* to move Motion under Rule 388.

...(*Interruptions*)

HON. SPEAKER: Mr. Minister, wait a minute.

...(*Interruptions*)

DR. A. SAMPATH (ATTINGAL): Madam, I have a point of order....(*Interruptions*)

HON. SPEAKER: Under which rule? You tell me the rule.

...(*Interruptions*)

DR. A. SAMPATH: Madam, it is under Rule 25. You are well-versed with the Rules but I am not so much. Rule 25 says:

"On days allotted for the transaction of Government business, such business shall have precedence and the Secretary-General, shall arrange that business in such order as the Speaker may, after consultation with the Leader of the House, determine:

> Provided that such order of business shall not be varied on the day that business is set down for disposal unless the Speaker is satisfied that there is sufficient ground for such variation."

Madam, there have been various occasions this has been there because once we get a List of Business, then the revised List of Business comes. I have written a letter to the hon. Speaker today that the hon. Minister, Shri Birender Singh is going to move this motion under Rule 388.

I would like to tell you as to what the hon. Minister intends to do under Rule 388. Madam, I shall take only half a minute. It is a very important Bill. I have never done this before. This is the first time, I am doing this. Madam, Rule 388 is in page no. 147 of the Rules of Procedure and Conduct of Business. It says:

> "Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried the rule in question shall be suspended for the time being."

Here, what the intention of the Minister is that:

> "That this House do suspend Rule 338 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the moving of motions for consideration and passing of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Second Bill, 2015, during the current session of Lok Sabha."

Madam, here he intends to suspend Rule 338. Rule 338 says:

> "MOTIONS
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> Repetition of motion
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> 338. A motion shall not raise a question substantially identical with one on which the House has given a decision in the same session."

Madam, Speaker, I may be permitted to use such a terminology. I am not reading the whole Bill. The discussion has taken place in this House and we have sent the Bill to the other House. We all know what happened there. I am not going into the prerogatives of the other House. Now, the Government is intending to come with another Bill. In the meantime, the Ordinance has already been promulgated. Now, today itself, in Item No.4, the Secretary-General has reported two messages from the Rajya Sabha regarding the Coal Mines (Special Provisions) Bill, 2014 and the Constitution (One Hundred and Nineteenth Amendment) Bill, 2013.

Another thing has also happened in this House. The Motor Vehicles (Amendment) Bill has been discussed in this House and passed. In the same House, it is going to be withdrawn.

Madam Speaker, you are the custodian of the Members. We have done quite a lot of homework. We have burnt quite a lot of midnight oil in discussing all these maters. This is for our future that we are participating in this legislative process of discussion. It is a part and parcel of all the laws that our forefathers have made. It is not only my feeling but the entire nation feels that whatever discussions taking place in this House becomes a futile exercise. The Government is not doing the homework. As a Member, we are doing our homework but there is no coordination between the Government and the Opposition.

HON. SPEAKER: Hon. Member, is it under any Rule? The Rule does not apply here.

DR. A. SAMPATH: Madam Speaker, I may be permitted to express my opposition. ...(*Interruptions*)

HON. SPEAKER: What is it?

...(*Interruptions*)

DR. M. THAMBIDURAI (KARUR): Madam Speaker, hon. Member has raised his concerns regarding the Land Acquisition Bill which we are going to discuss now. As he said, generally we discuss the Bill in this House and pass it. The Rajya Sabha could not do it but that is a different issue. Afterwards, the Government prorogued the Rajya Sabha. Why do they prorogue the Rajya Sabha? It is just to promulgate an Ordinance. After promulgating the Ordinance, what happened to the fate of this Bill? The Lok Sabha is not prorogued. We have already passed it. Why is there such a futile attempt once again? Under what Rule are we discussing it? We know that the Rajya Sabha is the Upper House and the Lok Sabha is the Lower House. But we cannot treat the Lok Sabha in this manner. Why did the Government prorogue the Rajya Sabha? It is just to facilitate the Government to promulgate an Ordinance and why the Government did not prorogue Lok Sabha to promulgate the ordinance.

HON. SPEAKER: No, we cannot discuss that.

...(*Interruptions*)

DR. M. THAMBIDURAI: We are again discussing this matter. The Bill that we are discussing has already been passed....(*Interruptions*) Now, we already discussing this Bill. This Bill had already been passed by this House...(*Interruptions*) Why have the Government brought the Ordinance? Once the House has passed it, why did they bring the Ordinance? That is what I want to know...(*Interruptions*)

श्री ज्योतिरादित्य माधवराव सिंधिया (गुना) : अध्यक्ष महोदया, इसी वजह से राज्य सभा को प्रोरोग किया गया था।...(व्यवधान)

SHRI CHAUDHARY BIRENDER SINGH: I beg to move:

> "That this House do suspend Rule 338 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the moving of motions for consideration and passing of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Second Bill, 2015, during the current session of Lok Sabha."

HON. SPEAKER: The question is:

> "That this House do suspend Rule 338 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the moving of motions for consideration and passing of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Second Bill, 2015, during the current session of Lok Sabha."

The motion was adopted.

...(*Interruptions*)